

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TYRONE HURT,
Plaintiff,

v.

JUDGE ALEXANDER WILLIAMS, JR.,
Defendant.

Case No. [13-mc-80053-SI](#)

Order also to be filed in C 12-4187 EMC

**ORDER DENYING PLAINTIFF'S
MOTION TO PROCEED *IN FORMA*
PAUPERIS ON APPEAL**

Re: Dkt. No. 7

On April 13, 2021, plaintiff Tyrone Hurt filed a motion for leave to proceed *in forma pauperis* on appeal. Plaintiff states that he wishes to appeal a March 20, 2013 order issued by this Court; in the March 20, 2013 order, the Court conducted a pre-filing review of plaintiff's proposed complaint, concluded that the complaint was frivolous, and directed the Clerk of the Court not to accept the new complaint for filing. *See* Dkt. No. 2. Plaintiff has already appealed that order – on April 11, 2013 (Dkt. No. 3) – and this Court denied an earlier motion to proceed *in forma pauperis* in that appeal, certifying that the appeal was not taken in good faith for the reasons set forth in the March 20, 2013 order. *See* Dkt. No. 5.

Pursuant to Federal Rule of Appellate Procedure 24(a)(2), the Court DENIES plaintiff's motion to proceed *in forma pauperis* on appeal and certifies that the appeal is not taken in good faith. The appeal is frivolous for the additional reason that it is untimely and duplicative of the earlier appeal.

The Clerk shall not accept any further filings in this closed miscellaneous case.

IT IS SO ORDERED.

Dated: April 21, 2021



SUSAN ILLSTON
United States District Judge